

REMARKS

The Applicant thanks the Examiner for the consideration given the present application. Claims 11 and 14-16 was previously cancelled. Claims 1-10, 12, and 17-22 are pending. Claims 1, 5, and 17-22 are amended. Claims 1 and 17 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Examiner Interview

If, during further examination of the present application, a discussion with the Applicant's Representative would advance the prosecution of the present application, the Examiner is encouraged to contact Carl T. Thomsen, Registration No. 50,786, at 1-703-208-4030 (direct line) at his convenience.

Rejection Under 35 U.S.C. § 112, second paragraph

Claims 17, 19, 21, and 22 stand rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language is not clearly understood.

In order to overcome this rejection, the Applicant has amended independent claim 17 to address the issue pointed out by the Examiner. The Applicant respectfully submits that the claims, as amended, particularly point out and distinctly claim the subject matter which the

Applicant regards as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. §103(a)

Claims 1, 3, 4, 6, 9, 10, 12, 13, and 17-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Caprai (U.S. Patent 6,251,015) in view of Ritchie (U.S. Patent 4,637,605); and

claims 2, 5, 7, and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Caprai and Ritchie, and further in view of Pittarelli (U.S. Patent 3,964,564).

These rejections are respectfully traversed.

Amendments to Independent Claims 1 and 17

While not conceding the appropriateness of the Examiner's rejections, but merely to advance the prosecution of the present application, **independent claim 1** has been amended to recite a combination of elements directed to a riding simulation system, including *inter alia*

“a control unit for said system being mounted in a position between downwardly sloping linear portions of said pair of left and right main frames and under the centrally located main frame,

lateral sides of the control unit **16** having lengths which are parallel to the downwardly sloping linear portions **52ad, 52bd,**

the position of the control unit **16** being such that most of the control unit **16** extends below where the sub-frames **54a**, **54b** are connected to the downwardly sloping linear portions **52ad**, **52bd** of left and right main frames, the position of the control unit **16** being rearward with respect to each of the sub-frames.”

In addition, **independent claim 17** has been amended to recite a combination of elements directed to a riding simulation system, including *inter alia*

“a pair of left and right sub-frames **54a**, **54b**, each of which is connected to a roughly central part of the corresponding downwardly sloping linear portion **52ad**, **52bd** in a position that is directly above the corresponding horizontal linear portion **52ah**, **52bh** and extending in a direction that is away from the operator of the apparatus and that is substantially parallel to the corresponding horizontal linear portion **52ah**, **52bh**; and

a control unit **16** for said system being mounted in a position directly between the downwardly sloping linear portions **52ad**, **52bd** and having lateral sides having lengths which are parallel to the downwardly sloping linear portions **52ad**, **52bd**,

the position of the control unit **16** being rearward with respect to each of the sub-frames **54a**, **54b**, and rearward with respect to the fixing bolts **76** at the forward ends of the horizontal linear portions **52ah**, **52bh**.”

See FIGS. 1 and 4, for example, for support. ***Reference numerals have been added above for emphasis only.***

As conceded by the Examiner, Caprai fails to disclose sub-frames.

Regarding the Ritchie reference, as can be seen in the Examiner's annotated FIG. 1, a major portion of control box 3 is located above and forward of the pair of pipes which the Examiner's refers to as "pair of sub-frames," and this pair of pipes slopes downwardly toward the rider from the rear side the control box. Thus, Ritchie cannot make up for the deficiency of Caprai to reject **independent claims 1 and 17**.

At least for the reasons described above, no combination of Caprai and Ritchie can teach or suggest the combination of elements set forth in each of **independent claims 1 and 17**. Therefore, **independent claims 1 and 17** are in condition for allowance.

Dependent Claims

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

For example, each of **dependent claims 5 and 22** recites

"wherein said riding simulation apparatus is adapted to be mounted on an elevated mounting surface, and

since the control unit is mounted such that the lengths of the lateral sides of the control unit are parallel to the downwardly sloping linear portions, the control unit is mounted completely away from an upper side of the elevated mounting surface."

Caprai merely discloses a control unit mounted on the upper side of table 18.

Ritchie merely discloses a control box 3 having lateral sides with lengths extending forward from the front fork.

Thus, **dependent claims 5 and 22** contain allowable subject matter.

As other examples, each of **dependent claims 18 and 19** recites

“a forward end of the centrally located main frame disposed farthest away from the operator is connected to a cross pipe bridging between forward ends of the sub-frames,

wherein a forward-most face of the control unit, which is located rearwardly and separately of the cross pipe, faces a rear side of the cross pipe.”

Neither Caprai nor Ritchie teaches a cross pipe. As for Ritchie, the forward-most front face of video game (control unit) 3 certainly does not face a rear side of any part of the exercise bike 5.

Thus, **dependent claims 18 and 19** contain allowable subject matter.

All pending claims are now believed to be in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are respectfully requested.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

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Respectfully submitted,

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